

# Morgan Lewis

**Melissa D. Hill**  
212-309-6318  
melissa.hill@morganlewis.com

April 16, 2018

**VIA ECF**

The Honorable Nicholas G. Garaufis  
United States District Judge  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *L&M Bus Corp., et al. v. Bd. of Educ. of the City Sch. Dist. of City of N.Y.,*  
Case No. 18-cv-01902 (NGG) (SMG)

Dear Judge Garaufis:

Defendant the New York City Department of Education (the "DOE") submits this letter in response to the motion for leave to file an amicus brief submitted by International Brotherhood of Teamsters, Local 553 ("Local 553") (Doc. No. 30). The DOE does not oppose Local 553's being permitted to submit an amicus brief, so long as the DOE is given an opportunity to respond. The DOE disagrees that its Request for Bids or any part of the current contracting process is preempted, as set forth in the DOE's papers opposing Plaintiffs' motion for a TRO and preliminary injunction. Accordingly, should the Court permit Local 553 to file an amicus brief, the DOE respectfully requests that it be permitted to respond to those papers on April 24, 2018, when Plaintiffs' papers are due.

Thank you for your consideration.

Respectfully,

*/s/ Melissa D. Hill*  
Melissa D. Hill

**Morgan, Lewis & Bockius LLP**

101 Park Avenue  
New York, NY 10178-0060  
United States

 +1.212.309.6000  
 +1.212.309.6001